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WILLS AND TESTAMENTS.

THERE are few things more toothsome to newspaper readers than the small paragraphs headed 'Wills and Bequests,' for we all of us like to know how rich our neighbours are, and how they dispose of their wealth, when they are no longer able to enjoy it themselves. By the payment of a shilling, and a walk down to Doctors' Commons, you can see what old Grampus has done with his property—what he has given to his daughter Helen, concerning whom you have designs—or whether his charming little widow loses her handsome annuity when she marries again. You can learn whether rumour speaks the truth when it says Tom is cut off with a shilling, and that nothing has been given to Harry except his father's compliments. You can see whether you are remembered in a corner of the will, as the old fellow said you would be; and you may pick up there a vast amount of information which, in old Grampus's time, you were utterly unable to acquire. If you were to spend a day, a week, a month, or even a year amongst the wills, it would not be time, misspent; you would not only obtain a deal of valuable information, but get a good insight into human nature also; for a man's will is a kind of mirror in which you may see his peculiarities; and many curious wills have there been, as the records of Doctors' Commons shew.

Some who in life would not have given a cup of water to a beggar, by their wills leave enormous sums to charities, to secure for themselves a kind of posthumous admiration. Others allow not their resentments to sleep with them in the grave, but leave behind them wills which excite the bitterest feelings and animosities among the surviving relatives. Some wills are remarkable for their conciseness and perspicuity; others for their unprecedented shapes and curious contents. One man provides for a college, another for a cat; one gives a legacy to provide bread and herrings to the poor in Lent, and kid-gloves to the minister; while others provide for bull-baiting, the welfare of maid-servants, and the promotion of matrimony.

John Rudge has kept his name out of oblivion by giving twenty shillings a year to a poor man to go about the parish church of Trysull during sermon-time to keep people awake and dogs out of the church. Henry Greene of Melbourne, Derbyshire, gave his property for providing four green waistcoats for four poor women every year, such waistcoats to be lined with green galloon lace. In the same neighbourhood, and inspired by a similar feeling, Thomas Gray provided gray waistcoats and gray coats. John Nicholson, stationer of London, was so attached to his family name that the bulk of his property was given in charity for the support and maintenance of such poor persons in England as should appear to be of the name of Nicholson. David Martinett of Calcutta, while giving directions to his executors, says: 'As to this fulsome carcass, having already seen enough of worldly pomp, I desire nothing relative to it to be done, only its being stowed away in my old green chest, to save expense.' He then bequeathed to one man all the debts he owed, and to another his sincerity. A Lancashire gentleman in the last century, having given his body to the worms of the family vault, bequeathed an ounce of modesty to the authors of the *London Journal* and *Free Briton*, giving as his reason for the smallness of the legacy, that he was 'convinced that an ounce will be found more than they'll ever make use of.'

Another testator, after having stated at great length in his will the number of obligations he was under, bequeathed to his benefactor ten thousand—here the leaf turned over, and the legatee turning to the other side found the legacy was ten thousand thanks. A testator, who evidently intended to thwart his relations, and be a benefactor to the lawyers, gave to certain persons 'as many acres of land as shall be found equal to the area enclosed by the track of the centre of oscillation of the earth in a revolution round the sun, supposing the mean distance of the sun twenty-one thousand six hundred semi-diameters of the earth from it.' An uncle left in his will eleven silver spoons to his nephew, adding: 'If I have not left him the dozen, he knows the reason.' The fact was,

the nephew had some little time before stolen the twelfth spoon from his relative. Sir Joseph Jekyll left his fortune to pay off the national debt. When Lord Mansfield heard of this, he said: 'Sir Joseph was a very good man and a good lawyer, but his bequest was a very foolish one; he might as well have attempted to stop the middle arch of Blackfriars Bridge with his full-bottomed wig!' Lord Pembroke gave 'nothing to Lord Say, which legacy I give him because I know he will bestow it on the poor;' and then, after giving other equally peculiar legacies, he finished with 'Item, I give up the ghost.' Dean Swift's character was exemplified in his will. Among other things, he bequeathed to Mr John Grattan of Clonmethan a silver box, 'in which I desire the said John to keep the tobacco he usually cheweth called pig-tail.' The celebrated Sarah, Duchess of Marlborough, left Pitt ten thousand pounds for 'the noble defence he had made for the support of the laws of England, and to prevent the ruin of his country.' A somewhat similar bequest was not long ago made to Mr Disraeli. Bacon left a will appointing six executors, but no property except his name and memory, which he bequeathed to 'men's charitable speeches, to foreign nations, and the next ages.' Lord Clarendon had nothing to leave his daughters but his executors' kindness; and Lord Nelson left neither a will of real nor personal estate behind him, although he bequeathed his adopted daughter to the beneficence of his country. Milton's will was nuncupative—that is, by word of mouth—he being blind at the time he made it. Shakespeare's was made in regular form; so was Byron's. Chatterton's will was a very strange one, consisting of a mixture of levity, bitter satire, and actual despair, and announces a purpose of self-destruction. Others wrote their wills in verse, and, as a specimen, we will give that of William Jacket, of the parish of Islington, which was proved in 1787, when no witnesses were required to a will of personal estate:

I give and bequeath,
When I'm laid underneath,
To my two loving sisters most dear,
The whole of my store,
Were it twice as much more,
Which God's goodness has granted me here.
And that none may prevent
This my will and intent,
Or occasion the least of law racket,
With a solemn appeal,
I confirm, sign, and seal
This, the true act and deed of Will Jacket.

Some wills contain a kind of autobiography of the testator, as well as his thoughts and opinions. Such was the will of Napoleon, which gave a handsome legacy to the wretch Cantillon, 'who had as much right to assassinate that oligarchist, the Duke of Wellington, as the latter had to send me to perish on the rock of St Helena.' Such also was Sir William Petty's, which states, with a certain amount of self-pride, that 'at the full age of fifteen, I had obtained the Latin, Greek, and French tongues,' and at twenty years of age, 'had gotten up threescore pounds, with as much mathematics as any of my age was known to have had.'

When we consider the awful calamities that take place sometimes, nay, many a time and oft, when a man of property dies without having made a will, we are struck with surprise that so many of our fellow-men should die intestate; and it is no less

astonishing to find that Mr Paterfamilias seems to have as much dread of making a will as of having a couple of back teeth taken out by an unskilful apprentice. 'Last will and testament' sounds like a funeral knell in his ears, and too often he postpones setting his house in order until he is prevented from doing so by disease or physical weakness. And yet, my dear Paterfamilias, let us see what will be the consequences of your dying without a will, or intestate, as it is technically called. You have got a wife and a family of sons and daughters, varying in age from little Libby, who is just learning to lisp her letters, to Arabella Jane, of a marriageable age. Your eldest son, Tom, has taken to evil ways, has turned a prodigal, and has been shipped off to New Zealand, to play that desperate and exciting game of living on his own resources. You live in your own freehold house, occupy your own freehold farm, and get a nice little income from a lot of freehold property in a neighbouring town. And now be so kind as to have a look upon what will take place after your death, in case you die intestate. The whole of your freehold property goes entirely to Tom, and he, and your wife, and the remainder of your children will come in for your household furniture and such other personal property you may die possessed of. Such is the result of dying intestate, and the law of primogeniture. Tom the rake will squander all the property, and your wife and the rest of the children are left almost penniless and helpless. If you wish to avoid putting those you love in such a distressing situation, make a will, a thing which is neither difficult nor expensive to do. Never make it yourself, if you can help it, or, what is worse, allow any unprofessional person, or 'lay lawyer,' to make one for you. You 'might as lief get the town-crier' to do it. When you want to make your will, don't send out for a sixpenny printed form, as some noodles do, but go to a solicitor at once. In cases of emergency, there is sometimes no time to call in a solicitor, so you must either make your own will or die intestate. Some time ago, a gentleman went out shooting, and in getting over a hedge, the contents of the gun were lodged in his body. A friend and a gamekeeper immediately ran to his assistance, but the unfortunate man found he was sinking fast, and had but a few minutes to live. He asked for a pencil and paper, and his friend bringing out his pocket-book, the wounded man wrote on one of the blank leaves: 'My will—I leave all to Peggy.' He then signed it, and the friend and gamekeeper did the same, and a few minutes afterwards the poor fellow died with his wife's name on his lips. By this will, which was perfectly valid, the wife whom he loved was properly provided for: without it, she would have starved, as her husband's property would have gone to his heir-at-law, who was a reprobate cousin.

It is a penny-wise and pound-foolish plan to grudge the fee to a solicitor for making your will. So convinced of this was one crafty and covetous old fellow, who wanted to have his will accurately drawn without paying for it, that he sent for an eminent lawyer, and having given the necessary instructions, desired him to put in a clause giving one hundred pounds to himself. The will being finished, a fee was offered, but refused. The lawyer was no sooner gone than the will was copied, and the hundred-pound legacy left out.

It has been already stated in this *Journal* how

lawyers making their own wills rarely succeed in the undertaking; and as an illustration of how the best of lawyers may sometimes make mistakes in drawing even other people's wills, we may mention that one of the most eminent conveying lawyers of his day once, in drawing a will of a wealthy gentleman, accidentally omitted the word 'Gloucester,' and thereby deprived the party whom he was most specially and anxiously instructed to benefit, of no less than fourteen thousand pounds a year. Indeed, a will is the most difficult of all instruments a conveyancer has to draw; people making their own wills may save a present fee, but in the long-run the lawyers will benefit by their imprudence.

If you wish to leave a legacy to the legal profession, nothing is more simple to effect: make your own will; make use of a few ambiguous expressions; place your signature to the will in a remote corner; practise a little unmethodical madness when you are signing your name; use strange words; and go out of the broad highway of legal phraseology, and, depend upon it, if the lawyers don't come in for a large slice of your property the fault will not be yours.

Until 1838, a boy of fourteen or a girl of twelve years of age could bequeath by will any amount of personal estate, but were not allowed to dispose of their real estate until they had attained their majority. Now, no one, whether male or female, can make a will unless of the age of twenty-one years; nor can a married woman, except in certain cases. If you are an idiot or lunatic, you have no testamentary power, although, if a lunatic, you can make a will during a lucid interval. The question as to the mental competency of a testator is one of the most fruitful sources of litigation, and one of the nicest nuts the lawyers have to crack. A person born deaf, dumb, and blind, can make no will; and if you have been attainted of treason, or convicted of felony, or are an outlaw or a *felo de se*, you cannot make a will concerning personal estate, and it should be borne in mind that under the head of personal estate all your leaseholds for years are included.

A soldier on an expedition, and sailors on a voyage, are allowed to make nuncupative wills, or wills by word of mouth, so far as personal estate is concerned; but if you are a landsman and civilian, your will must be in writing, at least, so says the Wills' Act, although it will be perfectly good if it is lithographed or printed. It may be written on anything you like, such as a table-top or the side of a whitewashed wall, although it is very advisable, for convenience' sake, and to prevent all disputes, that it should be written on vellum, parchment, or paper: as a rule, the last-named article is employed. You may write and sign your will in pencil if you like, but it is better to do it in ink, and that, too, of one colour, for if your will is like Joseph's coat, of many colours, doubt and question may arise as to the authenticity of the document.

You may make your will in Hindustani, or it may, as Hamlet says, 'be writ in the choicest Italian;' you may write the words at length, or contract them according to your sweet will; or you may use figures, ciphers, or numbers and letters, providing, of course, you leave the key behind you to explain them by; so you may write your will in short-hand. Any amount of bad spelling is allowed; and if you are of a poetical disposition,

you may write your will in verse, and you will not be the first testator who has done so, as we have already shewn. Nor is any particular form of will required; so, if you feel anxious to leave this present writer a thousand pounds, you can do so by drawing a cheque, attested by two witnesses.

Such a vast amount of litigation and expense has arisen from wills being irregularly or informally executed, that it is of the very highest importance that you should be careful in this matter. The Wills' Act says that your will must be signed by you, or by some one in your presence, and by your direction; and such signature must be written or acknowledged by you in the presence of at least two witnesses, present at the same time, and the witnesses must subscribe their names to the will in your presence. The witnesses need not know the contents of your will, or even that the document is a will at all; it is, however, a good plan to let them know that it is your will. If you can't write, you may make your mark, as your betters did in former days; or, if you are so ill that you are unable to write, you may, as we have seen, get some one else to sign for you, in the presence of yourself and the witnesses. You may sign the will when alone, and afterwards acknowledge your signature in the presence of the witnesses, but it is better to sign it also in their presence. The witnesses must be present together when the will is executed, and they must sign their names as witnesses to the will in your presence; and it is very advisable, although not absolutely necessary, that they should sign in each other's presence. You need not actually see the witnesses sign, but you must, at all events, be in such a position that you could do so if you 'felt so disposed,' as Mrs Gamp remarked with reference to the use of the bottle on the chimney-piece. You may sign your will by putting merely your initials; and if your hand is unsteady from illness, you may get some one to guide it. It is very desirable that before executing your will, you should place your initials against any alteration, erasure, or interlineation that you may have made in it, and the fact of having done so should be noticed in the attestation-clause. Should you desire to make any alterations in your will after it has been executed, never do so by interlineations or obliterations, but make a fresh will altogether; or make a codicil or supplementary will, which must be executed and attested in precisely the same way as a will. No form of attestation is requisite, although it is both usual and desirable to have one, shewing how the will has been executed, and that the required formalities have been complied with; if this be not done, the will will still be valid, but cannot be proved until one of the subscribing witnesses has sworn that the will was executed in compliance with the statute, as was the case with the wills of two lawyers, the late Lord Denman and Mr Justice Crowder.

The witnesses must be at least two in number. Formerly, a will of real estate required three, while a will of personal estate required none at all. Now, however, two are required for any kind of will, and without two no will can be valid. If you are going to leave me a handsome legacy, pray do not ask me to be a witness to your will, for, although a legatee will make a good witness, a witness to a will cannot be a legatee under it; nor, in such a case, could my wife act as a witness, except by depriving me of the legacy. I mention this particularly, because, under the old law, the

case was very different. In case you make a death-bed will, and are in a very precarious state of health, it is advisable that your medical attendant should be a witness to your will, as there will then be less liability of its being set aside after your death, on the ground of your mental incapacity at the time when the will was made. And when you have once made your will, do not alter it except after due deliberation—never do so in a moment of passion or irritation.

It was formerly believed that if a man made a will omitting the name of a son as a legatee, that that was done so by mistake, so that a testator used to disinherit a son by giving or 'cutting him off with a shilling;' but the belief has long since died away, and the shilling-legacy is, as a rule, now omitted. Without going much into details, it may be taken, as a general rule, that you may please yourself as to the persons to whom you leave your property; so much freedom is allowed by the law of merry England, that you may give the whole of your property to a crossing-sweeper, and leave your widow and children steeped in poverty. You are not allowed to leave your lands or houses to charitable uses, or any body corporate, except a few favoured institutions—such as the universities of Oxford and Cambridge, the colleges of Eton, Winchester, or Westminster, and the British Museum—but you are allowed to give land for sites for schools for the poor, and you may give as much as a thousand pounds for the purpose of buying or maintaining recreation-grounds.

Charitable bequests are not favoured by the courts, and a feeling is gradually spreading through the country that it is unreasonable to allow any existing owner the privilege of fixing for ever the destination of any portion of his property, and that all posthumous charity should be very strictly regulated, if not actually forbidden.

You should name the object of your bounty with distinctness and certainty, although a misnomer will be immaterial if the description is sufficient to identify the legatee; therefore you can with safety leave the writer of this article a thousand pounds although you do not know his name. If the court can discover your meaning and intention, it will not stick at trifling omissions or mistakes—wills being entitled to, and receiving a liberal construction, for the good, it is said, of the testator's soul; or, as the old writer has it: '*Car le volent de chescun home serra prise ou construe en le plus large manner que il poet estre raisonablement pur le benefit de le alme de le mort.*'

Your great aim as a testator should be for your will and intention to be plainly apparent from the words you employ. If you draw your own will, and make use of ambiguous expressions, the lawyers will be almost certain to get a little picking out of your estate. A very considerable portion of the business of the Court of Chancery is that of finding out the meaning of testators. Thousands upon thousands of pounds have been spent in ascertaining the meaning of such words and expressions as children, issue, lands, in or near, cousins, family, heirs, next of kin, money, orphan—even the term 'eldest son' has given rise to many a noble suit; while many a fine estate has had to pay heavily for discovering the proper construction of gifts to legal or 'personal representatives.' At the time we are writing, a suit of costly dimensions is in active progress, with a large array of barristers and solicitors, all construing, in different ways, the

meaning of the words 'hospitals in and near London and Paris.'

If you give a legacy by your will, and you intend the legatee to have the full amount named, you should direct it to be paid free of legacy-duty, or the legatee will have to pay the duty, which varies from one to six per cent., according to the relationship between him and you; and ten per cent. if no relationship at all exist. If you are going to leave a married daughter and her husband a legacy without any restriction, you should bequeath the legacy to the daughter, who will pay one per cent. duty, and not to her husband, who is a stranger in blood, and will have to pay ten per cent. In Mr Arkwright's will was this clause: 'I give the sum of one million sterling to my son-in-law, Sir R. Wigram;' the legatee had to pay ten per cent., or one hundred thousand pounds legacy-duty. If the money had been to the testator's daughter, whom he really intended to benefit, the duty would have been only one per cent., or ten thousand pounds; thus the enormous sum of ninety thousand pounds was literally thrown away. The shortest will you can make is when you give all your property to one person, as follows: 'The will of John Brown.—I give all my property to my wife and executrix, Jane Short. London, 1 July 1865.' The will is then signed and witnessed, as we have already pointed out. Your wife pays no legacy-duty.

Should you get married after making your will, you must make another, for marriage alone now revokes a will, although formerly the additional circumstance of the birth of a child was also requisite. Hence it is usual for a man to execute his marriage-settlement just before his entry into the church, and his will as soon as the matrimonial knot is tied, or as soon as the wedding-breakfast is safely over. You may revoke your will by burning or tearing it; but not by drawing your pen through it, unless the cancellation is witnessed and attested in precisely the same way as in making a will.

Some people omit to make their wills, merely because the law would divide their property amongst their relations in precisely the same manner as they would had they made wills; but this single fact seems to be generally ignored, that if you die intestate, your estate pays one-third more probate-duty than it would had you left a will; notwithstanding this, out of the thirty or forty thousand people of property who die every year, nearly a third die intestate, and letters of administration are taken out.

THE CLYFFARDS OF CLYFFE.

BY THE AUTHOR OF 'LOST SIR MASSINGBERD,' &c.

CHAPTER XLII.—AN UNHOLY ALLIANCE AND ITS PLANS.

As soon as Rupert Clyffard had parted from Mildred, he sent word to his step-mother that he wished to see her, upon a matter of the last importance, in what he was pleased to term his business-room. Like many another dignified by the same name, or even that more ambitious one, 'the study,' this chamber gave no evidence of its title in its contents. Formerly, a few of the more faded family pictures, for which even the great gallery had no room, had adorned the walls; but the present inmate had caused them to be exchanged for the portraits of such of his ancestors upon whom, in later life, the supposed ancestral curse had

fallen, or who, in other words, had distinguished themselves in eccentricity. Of Guy Clyffard, a full length had been taken, when advanced in life, attired in his favourite hunting-dress of gray; and but that Rupert's coat was a red one, the picture in its frame might have almost passed for a reflection of the living man; so like, as Lucy had said, had the young Master of Clyffe in these late years grown to his strange forefather: unshorn was his long white hair, unkempt his straggling moustache, and upon his worn cadaverous face dissipation had set the same sad marks which physical and mental illness had imprinted upon the face of his descendant. Rupert's great-uncle, Roderic, too, was there, who had lived and died his own master as well as Master of Clyffe, but who had yet been mad enough to think he would come to life again to inherit house and land; the features, not unlike those of Ralph Clyffard's, but less firm, and not without a touch of cunning. Uncle Cyril's well-remembered face was the last of that long line, with lips that beamed forth kindness and good-will, as they had ever done on him whom they now looked upon (for he had loved his brother's boys), but with a certain glitter of the eye which boded evil to the man that crossed him. But there was one picture to which Rupert's glance had been directed from the moment he entered the room, and which he was contemplating now, with head aside, while he awaited Mrs Clyffard's coming—the handsomest face of all, so beautiful and waxen delicate that it might have belonged to some fair girl, save for the silken fringe upon the lip.

'How could she have played him false?' murmured Rupert, his chin sunk on his hand. 'With one such as he to love her—and very kind he was, they say, when he was pleased—why did she not then please him? Why ruffle that broad brow? Why mar that loving smile? And he too—why for that fair Jezebel so strangely like'—

He heard the rustle of a dress at the open door, but he did not stir a hairbreadth—'so very, very like her portrait.'

'You sent for me, Rupert, did you not?' said Mrs Clyffard, laying her finger-tips upon his arm.

'Yes, mother—I call you mother because Hamlet did—but *why* I sent for you, that has escaped me altogether. Perhaps it was to ask your opinion about Bertram here? Now, what do you think of him?'

'Well, he was a foolish headstrong boy, enamoured of a woman false as she was fair.'

'How very, very like my father!' observed Rupert.

'Yes, a little like,' returned Mrs Clyffard carelessly: 'they were both dark, and very handsome in their youth.'

'But this one was never old.'

'No; he died young.'

'Ay, and shut up, poor fellow,' remarked Rupert pitifully.

'The better for him, step-son, otherwise he would have been hung. Do you not know that for jealousy of that same wanton he slew his brother Gervaise?'

'Ay!' Rupert faced suddenly round, and asked with fierce impatience: 'But why did he not kill her instead? Those cruel eyes of blue, why did he not shut them close? Those lying lips, why did he not make them dumb? Those serpent locks, why did he not take them, as I might yours this

instant, and wind them about her snowy neck until she choked?'

Grace Clyffard's face was ashen pale; but her eyes did not quail, nor her voice tremble, as she answered sternly: 'Ask her yourself, Rupert; you have seen her once, and will perhaps see her again.'

'True, true,' stammered the other; 'let us not talk of that; I could not bear to see her; it would drive me—I am sure I could not bear it. The last time—I marked it in the almanac here—was the very day of my poor father's death. I wonder whether she appears before all deaths. One, two, three, four—What are you staring at, mother? Do you not know that I am here to sign the almanac—the thing that you have plagued me to do a thousand times. How does one sign an almanac? Let me write down Cancer for my name, because he was the brave crab that nipped your brother Gideon, and kept him tight till the tide came up, for which I hold him in everlasting honour.'

'Do you mean that you are ready to sign the parchment, which you have hitherto refused to do until you are married to Mildred?'

'Just so; it is only to-day instead of to-morrow; why not?'

Grace Clyffard strove in vain to quench the gleam of triumph that stole over her white face, and made her cold eyes glitter with eager greed; but she made answer carelessly: 'As you please, Rue; but we must have witnesses, or the deed would only be waste paper. Shall we send for my brother Clement and William Cator?'

'Ay, do,' said Rupert slowly. 'Give me the deed—you keep it somewhere here, I know—and I will read it while you fetch these men. One should read what one signs.'

From a locked drawer, in a cedar cabinet, Mrs Clyffard drew forth a parchment neatly folded, and placed it in his hands. It was Rupert's own will, whereby, in case his brother died before him without issue, all the lands of Clyffe were devised to his step-mother solely. She pointed to the place where presently he was to sign, and where the names of her brother and Cator were to be attached.

'But where do you sign?' asked he.

'I do not sign at all,' said she.

'But that will not do,' cried Rupert; 'your name must be set down.'

'It is set down,' replied she impatiently. 'There, there, and there again—have you no eyes? I will go ring for Lucy, and she will bring the other two.'

'One—two—three—four,' observed the madman slowly—'Grace, Clement, Cator, and I. This is to do all our wills in one, then. No. 5 is in it also; but then he never stole my love away as Gervaise served poor Bertram; that was only an evil dream. Time has not fled, as the whispering fiends would persuade me. All between is but one long, long night. This surely is my own sweet marriage-eve.'

He took the parchment to the almanac, and compared it with a date marked with a white cross. 'Yes, 'tis the self-same day. To-morrow, I wed my Mildred. To-morrow, one goes to the bridal, and three to the bier. Ay, here they come. Now, see me sign, my honest witnesses. Clement the fool, put thy name below here; Cator the knave, write thine beneath it; and as for Grace, the foul fiend with the fair face, as Raymond used to call her—

Grace is everywhere, like Sin. You do not smile, mother. That is hard, since I have done all this to pleasure you. Now, I go to my bed— By the by,' he added, stopping at the door, and looking at her very fixedly, 'to-morrow, being Mildred's husband, I shall be your nephew; will that make any difference in one's calculations? One—two—three—four. No; it all comes out as it should do. But I'll ask my father, nevertheless.'

'What does he mean by that?' asked Clement uneasily, and not before the echoes of Rupert's heavy footfall, so unlike a young man's tread, had died away down the oaken stair.

'There is no meaning left in him,' replied Mrs Clyffard contemptuously. 'I suppose he refers to some ramble on the roof-top which he intends to take to-night, in hopes to meet with poor Ralph's spirit, which forsook him there. I often hear him on the leads above my chamber.'

'Hear him! Hear who?' asked Clement with apprehension.

'Why, Rupert, of course. Do you think that dead men walk?'

'I have heard,' returned Clement seriously, 'that spirits will sometimes re-enact the self-same scene which was fatal to them or to those dear to them in this life, and in the self-same place.'

'Then you have heard lies, brother, which it is not worth while to repeat. Leave such idle tales to folk like yonder madman. We that have wits must use them to better purpose.—Now, look you, Clement and Cator, this Rupert Clyffard is growing something worse than intractable; he is getting to be dangerous.'

'He has been fit for the Dene this long time,' grunted Cator.

'I know that,' returned Mrs Clyffard sharply; 'and what is worse, everybody about him knows the same. This deed he has just signed would be quite worthless, but for the date, which sets it two years back.'

'But is not that for—for—forgery?' stammered Clement.

'No, fool; or if it is, what then? Which of us three would witness against the other? Not I, nor Cator—of that, at least, I am sure; I wish I could say the same of my own kin.'

She spoke with such contempt and bitterness, that Clement seemed to shrink within himself, and cower like a shelterless beast in storm. 'Forgery!' repeated she. 'Why, if I could not have got this man to sign, do you think that I would not have written "Rupert Clyffard" here with my own hand, as like to his as I could make it? Have I gone so far upon my road—and yours—to halt for this or that? Have I done my part, taken my share of risk—ay, and more than my share—that you should stare because I say I would have done this thing? Do you deem that if this madman's wild caprice had not chanced to be thus favourable, or if this Mildred should have failed to make him so to-morrow, that I would have sat down submissive, like a perplexed maiden before her embroidery-frame, whereon the pattern has been woven amiss? Do you think that Clyffe and all you see, brother, from yonder window, and thrice as much again, and gold in bank, and coal in Durham mines—read, read! 'tis here!—is all this to be got by me, and shared by you, without suspicion, peril, ay, perchance, and even risk of your own worthless neck? What! think you to make me your cat's-paw—me!—and

never let your fingers feel the fire, but only itch for what I keep myself, after all's done?'

'I am sure, sister,' said Clement doggedly, 'I have always wished you well.'

'Wished!' hissed Grace. 'I wonder that you do not tell me I have ever had your prayers! What have you done?—but that you will have some difficulty of answering—come, what are you prepared to do?'

Mr Clement Carr looked ruefully at his own signature, scarce dry upon the lying deed, as though he would have said: 'That's not a little risk to run, according to my prudent notions;' but his lips murmured something about his being ready to do anything that was required of him for the common good.

'That is well answered, brother. There is but one thing and an easy thing—which you can do; and it must be done at once.'

'What is it?' asked Clement huskily. 'I won't have anything to do with Rupert!'

'Of course not, because, as I have said, he has grown dangerous,' returned Mrs Clyffard scornfully. 'No, let Rupert be my charge. You will find him quiet and subdued enough to-morrow, thanks to a certain treatment invented by myself, and quite unknown to you wise folks, who make lunatics their study. But with respect to your task, brother—you have read this deed?'

'I have, Grace. Rupert leaves all to you without reserve, in case of Raymond's death, and Raymond is dead already.'

'Yes; but not without issue.'

A cold dew suffused the fat face of Clement at these words.

'True,' continued his sister, 'the land is entailed to male heirs only, and perchance the will might hold; of this I am not sure. But if this child lives—she being Rupert's near and only relative—we should have "Fraud," or, at the best, "Injustice," heaped upon us in her name by all. Suspicion would be aroused, Investigation instituted, and—all that may follow is written in your tell-tale face, brother.'

For the third time in that short space, Clement Carr passed his handkerchief over his clammy forehead.

'Let Cator do it,' he stammered.

'Do what?' asked Mrs Clyffard quickly. 'You have not yet heard what there is to do. And besides, Cator has done enough to shew himself faithful, risked enough, done all but gained enough. Now, it is your turn.'

'I will not commit a'—

'Hush, fool!' cried Grace, holding up a warning finger; 'that is not required of you; but you will be what you have been already to-day—a witness. We must make these things sure. I will take no man's word. Gideon's word I did take, but I will take no other's; no, Cator, not even yours.'

'Then this is my job, is it, mistress, and Mr Clement is to look on?' observed the serving-man sullenly.

For once, Grace Clyffard winced. Her heart was hard as the nether millstone, and she had never felt the sentiment of shame. She could have borne with equanimity the loathing of the entire human family, if only they were made to fear her; but something even in her nature shrank from this brutal candour. She could contemplate the frightful crime she had in view with resolution; she was actually about to speak of the details of its

execution; and yet, when her tool and minister, who, compared to her, was innocence itself, growled forth: 'This is my job, is it?' her very blood seemed to curdle. To order lamb (for the sake of the mint-sauce) is one thing, but to hear the butcher begin to talk about his part of the business is another matter, and intolerable to a delicate stomach.

'Pray, be silent, Cator—it is your business to listen and to act—if action seems to be absolutely necessary. Perhaps your own acute intelligence, assisted by that of your master here, may devise some less unpleasant means of making this document something better than waste-paper; but a method more safe, more absolutely without peril to ourselves, I do not think that you will hit upon. For listen. Ever since this disobedient girl has been held prisoner here, she has taken it into her head to visit Ribble Cave. Lucy tells me that she does so through some foolish sentiment connected with that—connected with her late husband. It was in that place, it seems, that the minx first drew him on to declare his passion, and laid the foundation of that plot whereby, for a time indeed, she thwarted us, but for which she has suffered since, and is now about to pay the penalty to the uttermost. And does not this jade deserve it? Did I not send for her hither, the orphan of one who did me deadly wrong, and placed her higher than she could have ever looked for in her most ambitious dreams; and would I not have given her a position which any woman in the land might have been proud to hold—let alone a girl like her, with nothing but her gipsy face for fortune—and for return, did she not betray me, cross me, and almost—but not quite, not quite, my soft-toned niece—defeat me!' She spoke with vehemence, and yet as though she held converse with herself alone, making apology for what she was about to do by calling to mind her wrongs; then suddenly flashing her falcon eyes upon her hearers, she added, with cruel distinctness: 'Therefore it seems to me it is most fit that Ribble Cave should be the place of her just punishment, as it was the first scene of her wicked disobedience. However, she daily goes to this cave—she and her child—attended up to this time by Lucy; but to-day, Lucy will not go with them. Now, what so likely, what so almost certain, as that this foolish girl, half maddened by her recent loss, and feeding on this foolish fantasy day after day, should end her woes by plunging with her babe in Ribble stream?' She paused, while Clement turned his white weak face towards Cator, which, as if reflecting something of the serving-man's grim strength of purpose, gradually grew firm. He smiled a sickly smile, and murmured: 'Good! The thing looks likely, William; does it not?'

'I always said Miss Grace, as was, was a clever woman,' growled Cator admiringly.

'I do not speak thus of my own thought alone,' continued Mrs Clyffard. 'The extreme likelihood of the girl's committing suicide struck Lucy herself; but for her telling me that she did not think the cave was safe for my niece to visit, perhaps I should never have hit upon this plan. And look you, Clement, she may do it yet. For my part, like all others who hear the news, I shall conclude she did it; and if you and Cator should have reason to think otherwise, I pray you keep it to yourselves.' Seeing the serving-man was about to speak, she held up her hand for silence. 'I want

to hear nothing—nothing. I have no time for talking. Do not suppose that it is you alone who have to act. This parchment being signed—and made by you effectual—I have to do what has been postponed too long already. There has been already much unpleasant rumour concerning Rupert; moreover, I am told that during these last few days there have been inquiries made, and even some attempt at collecting evidence respecting the young master's state of mind. This is dangerous, and the more so since I cannot guess the quarter from which the danger comes. But now they shall have evidence enough. They shall no more complain that Rupert Clyffard is suffered to take his own mad way. The country bumpkins shall no longer stare at his wild doings. That shall be set right this very night.'

'What! would you harm him, too, mistress?' inquired Cator apprehensively. 'Don't you think that three such—ahem—sudden removals within the twelve hours would be a little suspicious?'

'Harm him?' rejoined Mrs Clyffard contemptuously. 'Why should I harm the man? But since he has become impracticable, and can be of no more use to us, it is high time he should be sent to the Dene. We know he will be taken care of by the good folks who have bought the place off our hands. Only he must be made a little riper for it. But that's my business; do you see about your own. What you have to do must be done to-day. It is time that you should both set forth for Ribble, but not together—nor must either of you be seen going in that direction. You will have to make a long round before you meet. And be sure you light no torch, but wait in the Cathedral Chamber for—for what Fate may send you. Remember, Clement, this is the last blow we have to strike, and there is none to ward it; and without it, all we have done and perilled has been but labour and risk in vain.'

CHAPTER XLIII.—FRIEND AND FOE.

When those two evil countenances met Mildred's terrified gaze at the entrance of the Cathedral Chamber, she mechanically started back.

'No, no, niece,' cried Clement mockingly, and interposing his fat carcass so as to shut her in; 'you have spent many pleasant hours in this place by yourself, why should you be so anxious to leave it now that you have our good company?'

'By yourself!' he said, thought Mildred; then this man did not know of her husband's having met her there, and almost certainly, if he did not know that, of his being in existence. Was it possible that Raymond had fled at their approach, as he had once done before, into Finis Hall? If not, he must be late, and would presently follow her into the cave. In either case, there was hope of help, which upheld her sinking heart.

'What would you with me, Uncle Clement?'

'Ay, it's *Uncle Clement*, now, is it?' returned he with a sneer. 'The last and only time we met, it was *Mr Carr*, forsooth, and your ladyship did your best to be distant. I am not one to forget these things, Mrs Raymond Clyffard.'

'If I was distant to you, sir, it was not my own will, but by my aunt's—your sister's—orders. You know that those must be obeyed.'

'I do, Niece Mildred. We are here to-day to obey them; are we not, Cator?'

Even now, with only a poor shrinking woman and her child to deal with, this man liked to assure

himself of a backer; even now, on the very threshold of his hideous crime, he drew some shabby comfort from laying it at another's door. His tone and manner froze Mildred's blood within her. Rather than appeal to this base wretch, albeit her own kith and kin, she turned to his grim hireling.

'You, at least,' she cried in piteous accents, 'I have never, even involuntarily, wronged. I did not come into the world your enemy, born of a hated stock, and yet your own. Although you may be rough and rude, you are still a man, and—I know not what harm may be intended me, and this poor innocent child; but you will not, surely you will not lend your strength to this unnatural wretch against such foes as we are. Pity us—pity this little one, if such you have at home; and if not, then pity me, for the sake of your own mother.'

Not a sound came from the stern lips of the serving-man, but he withdrew himself within the gloom a little, as though ashamed to meet her pleading eyes.

'You dare not look upon my wretched face,' she cried, 'so much of divine pity dwells within you. Oh, let your better nature move you a little further, and'—

'Silence!' cried Clement fiercely. 'This is no time for tears and whining. You should have thought of some such hour as this, when in this very place you laid your trap for Raymond Clyffard, and thwarted me and Grace. You have well said that what she orders must be done. She orders this: that never again shall you or that cursed child—but for whom no such fate need have awaited you, and here you see how your punishment again crops out from your own perversity; I say we are here to see you never more return from Ribble Cave.'

'God of heaven! would you murder us, then?' exclaimed Mildred, hugging her babe to her fast-beating heart.

'No, niece; not so. We only wish to assure ourselves that yonder stream has taken you both from a world of trouble. As I have said, I am sorry for this necessity, which, however, you have brought upon yourself; but after all, drowning is an easy death, and matters might have been worse—might they not, Cator?'—

'Matters might have been worse,' returned his grim assistant huskily.

What little chance was left for Mildred now lay, she was well aware, alone in gaining time. Her ears, while they drank in these words of doom, were straining for the echo of a footfall in the tunnel, for a splash in the sullen stream behind her; but she heard nothing save the monotonous 'drip, drip' from the limestone roof, and the stealthy flow of the dark tide.

'Why do you appeal to your servant, sir,' cried she, 'for sympathy in your premeditated crime, and yet forbid me to strive to move his heart a little—a very little—from its cruel purpose? My child and I—if you only spare our lives—will never more plague you, uncle, nor Aunt Grace: we will leave this place, and take another name, and be as dead. I promise—I swear it.'

'So you promised, so you swore, niece, to marry Rupert Clyffard,' interposed Clement gravely. 'Spare your breath; you might as well attempt to melt with it yon crystal statue, as to move Cator, honest fellow, from his duty.'

Mildred turned her eyes upon the stalagmite thus indicated, and shuddered to see how like it looked to the thing which it was said to be. A mother and child had already perished in that very spot; was it possible that she and Milly would be slain there also! Because the place was hidden from the light of heaven, was it also hidden from its Lord? She prayed with dumb white lips that He would prove it otherwise, and that right speedily. It was now long past the usual time of tryst with Raymond, and of human aid Mildred began to despair.

'Come,' resumed Clement impatiently, 'let us have done with this. If, as you endeavour to persuade us, you would lay no claim on your child's account to Clyffe, or ought belonging to it, were you suffered to live on, what advantage would there be in such a life? Why wish for mere existence, without a single possession that makes it dear? You are widowed, and poor, and friendless. What years of wretchedness, and, like enough, of shame, would there be in store for your helpless girl. Many a woman has ended life for less valid reasons; and you—I tell you, you must die, whether or no; so, why not save us the'—

'What!' interrupted Mildred passionately, 'would you slay my soul as well as my body? Would you drive me to commit a deadly crime, in order to flatter yourself that you did not do it with your hands? No—villain, butcher! if you work your wicked will, it shall not be with my help. If I die, it shall be murder, and no suicide; and my child—Oh, spare the child, good Cator!' she broke forth. 'Drown me, if it must be so. I would rather that thou didst it, than to feel the fingers of that hateful wretch, whose blood is mine, press down my head beneath your dark cold stream. But save my child; if thou art born of woman, save my child!'

'Take hold of her, Cator. Damn her, how she screams—these echoes make as though it were fifty women. Take hold of her, and put her under, since she wishes it, and leave the child to me.'

'To save?' cried Mildred, clinging to this straw. 'Will you indeed save my child? Oh, do not mock me on the verge of death, but promise me that, though I drown and die, my girl shall live unharmed. God will protect her, though, alas, alas, He seems to have forsaken me! No one need ever know whose child she is. Good Clement, do you promise?'

'Ay, ay,' returned Clement gruffly—'give me the girl.'

'Give her not to him!' cried out a terrible voice, at whose fierce tones the very cavern seemed to tremble. 'Let not his murderous fingers touch her innocent head! O liar, cursed for ever, if but for that one lie! Thine hour—and mine—has come at last.'

Not a footstep had fallen upon the cavern floor; not an arm had parted the watery path from Finis Hall; and it seemed to Mildred as though Heaven's own thunder had spoken. Indeed, such power and fury were in the sound, that it did not appear like human speech, and not until William Cator gave one stride from out the gloom, and seized her uncle by the throat, did she recognise her ally in the serving-man. As for Clement Carr, his surprise was greater than her own—so stupendous that it even overwhelmed for a moment his naturally acute perception of personal danger.

'What are you about, man? What do you mean?'

Are you mad or— Oh !' Here the windpipe of Mr Carr became too rigidly compressed to admit of further gurgling.

'Please to bring the torch here, Mrs Raymond Clyffard,' said Cator hoarsely, 'that this fellow and I may look at one another.'

Mildred obeyed mechanically, and threw the full glare of the pine-branch upon the two struggling figures, if struggling they could be called when the one was incapacitated from standing, and at the same time prevented from falling, by the strong firm clutch of the other. Clement's face, compressed, purple, with the eyes dilated, from which, as it seemed, the wicked cunning had scarce had time to escape, and give place to abject fear, was a ghastly sight enough; but that of Cator was far worse. Always grim and forbidding, the countenance of the serving-man was as disturbed by mental passion as was that of his master by physical violence; an inextinguishable hate flamed forth from every feature.

'He is not dead, mistress,' said he, in answer to Mildred's terrified glance, and relaxing his grasp a little. 'It is hard to let go of such a throat as his, but I should have been loath to kill him that way; he has got to hear something first.—Here, smell to this.' He seized the torch, and dashed it into Clement's face, so that it singed his hair and eyebrows. 'There, that revives him wonderfully;' and indeed, under that novel application of the burned feathers' system, Mr Carr began to shew signs of animation. After a prolonged fit of sneezing, he proceeded once more to articulate his opinion that his serving-man was either mad or drunk.

'You see he can't believe it, mistress!' cried Cator triumphantly. 'He can't believe that, after so long a servitude to him and his, one *could* remain an honest man!' Then pointing to his late master with a finger that quivered with passion, he ejaculated: 'Thou murderer's brother—thou twin-Cain—how I do hate thee! Dost thou think, because I delay to smite thee, or because I loosed my hold just now, that there is hope for thy base life? There is no hope, no loophole for escape the size of a needle's eye! Clement Carr, thou art come here to die!'

'You would not murder me, honest Cator—me, who have been your master for ten years—and for no reason.'

'Hark to him, mistress!' laughed the other scornfully. 'Listen to his whining prayer! He talks of murder—he that came hither to do a double murder—as though it were a crime! "My master for ten years," and "for no reason," say you? Why, is not that a reason good enough, if there were no other? To live for ten long years the minister of your accursed will—the instrument of villainies unspeakable done upon friendless creatures, chained and starved!—'

'That was Gideon's doing,' broke in the abject wretch: 'you know I always said that he was too hard.'

'Yes, and strove to make him harder. I say nothing for him; sooner or later, he would have met his doom at these same hands (as thou art going to do), had not Heaven itself, impatient of his crimes, cut short his course; but he at least was open in his wickedness, and met his death, I doubt not, fearlessly, as the better sort of vermin do. But thou—thou fox without the fox's courage, thou hypocrite—thou wilt drown yonder! Why dost thou shudder so? thou that hast just been saying what

an easy death it is to drown! Thou wilt die, I know, a coward's death; calling on the God in whom thou hast no faith, and thinking to move me with thy lying words—*me*, a man, thou hast well said, as easy to move from his fixed purpose, as yonder crystal statue is to be melted by the breath!'

'Why should you kill me? why should you do me hurt?' cried Clement fawningly, and almost grovelling at his foeman's feet.

'Because'—began the other sternly, and gazing straight before him with grave eyes, like one who calls up the past.

'Cator, beware! He has got a knife,' cried Mildred suddenly, and not too soon.

Clement had drawn a weapon from some hidden pocket, and struck with it at his enemy with all his force. But warned by Mildred's voice, the other leaped aside, unharmed, and the next instant Clement's wrist was hanging loose and useless, and the shining blade whirled through the air, and clove the hurrying stream with sullen plash. Clement Carr uttered one yell of pain and baffled fury, then sent forth shriek on shriek of frenzied terror as Cator dragged him by the neck to the bank of the dark river. Entreaties, curses, and the vilest words that he could coin flowed from his livid lips, and among them 'Coward, coward!'

'Why Coward, master?' asked the other contemptuously, as he brought his victim, pale and breathless, and almost a corpse, to the very brink, whence they could see the tide glide by as black as ink, to the natural archway, where it vanished suddenly. 'Why Coward, my friend of the knife? My plotter against mother and child of your own kin, why Coward, I say?'

'Because my wrist is broken, and you have got two hands to my one,' cried Clement viciously.

Cator laughed long and loud; and then sternly answered: 'Cunning to the end; false to thy latest breath. What advantage that ever offered itself in all thy treacherous life seemed to thee too base and mean, if it did but gain thee end? Nevertheless will I be fair even to thee: see, I will use my left hand—only my left—to match with thine: thou wilt be a little longer drowning, that is all. Yon knife-work made me hasty, else I did not mean to slay thee quite so soon.'

'Do not slay him,' broke in Mildred earnestly, and not for the first time by many; but her appeals had been disregarded hitherto by her strange ally, and perhaps unheard in his haste and passion.

'Then since you wish it, mistress, he shall live—almost a quarter of an hour—and listen to the tale I meant to tell him, from the first, before I send him hence to join his brother Gideon in the pit of Tophet.'

HIGH TREASON.

HIGH TREASON is the breach of that allegiance which the subject is deemed to owe to his sovereign, and by parity of reasoning, to the government under which he lives, no matter of what sort it be, whether imperial, kingly, or republican.

The duty of supporting the ruling power which assures protection for life and property, is correlative to the right the subject has to this protection; and this duty is of so high a nature, that it is not absolved even by failure of the government to do its part of the contract. There is a remedy at law against the government for wrongs committed

by its officers, and under no circumstances is the subject considered to be justified in throwing off his allegiance, unless, of course, he can do so by force of arms, as in the case of successful revolutions. But this is an exceptional case; the general convenience and comfort require that the government accepted by the nation should be not only strongly supported, but that, having in view the great public inconvenience of discord, all breakers of the nation's peace should be severely punished.

The crime of slaying a wife by her husband, and *vice versa*—of a master by his servant—of a prelate by his subordinate, was considered so heinous, because in each of these cases faith and obedience were reckoned to be naturally due from the slayer to the slain—that it was taken out of the category of common murder, and styled 'petit treason.' But when the crime came to be one which had for its object the head, not of the family, but of the state, the *parens patrie*, the great father of all his countrymen—the grossness of it was considered to increase in proportion to the greatness of the object, and it was called High Treason.

In the application of this theory of high treason, it is obvious that great tyranny might be exercised, and subjects inimical to the ruler, from whatever cause, might be cruelly oppressed by a forced construction of so wide a law, unless the boundaries of treason were clearly ascertained by some instrument known to and approved by all.

Such was found to be the case in England at a very early period, and experience taught the people that as they valued their lives, it behoved them to mark out by statute what should be considered high treason, and what not. Thus, the Spencers, in Edward II.'s time, were charged with treason because they had 'accroached' the royal power; and Mortimer, in the fourth year of Edward III., was charged with having procured the death of Edward II., and of 'accroaching' the royal power; and in the twenty-first of Edward III., John Gerge, knight, was indicted for high treason, because he had appeared 'in high royal state at Royston, where he rode armed, with his sword drawn in his hand, in warlike wise, and assaulted and took William de Botelisofer, and detained him till he paid L.90; and he took away his horse.'

Many acts of oppression having been committed under the cloak of punishment for treason, heads falling pretty much according to the caprice of the sovereign, the following statute was procured by the Commons.

A declaration which offences shall be adjudged treason (25 Ed. III. stat. 5, c. 2): 'Whereas divers opinions have been before this time in what case treason shall be said, and in what not; the king, at the request of the Lords and Commons, hath made a declaration in the manner as hereafter followeth; that is to say: 1. When a man doth compass or imagine the death of our lord the king, of my lady his queen, or of their eldest son and heir; 2. Or if a man do violate the king's companion, or the king's eldest daughter unmarried, or the wife of the king's eldest son and heir; 3. Or if a man do levy war against our lord the king in his realm; 4. Or be adherent to the king's enemies in his realm, giving to them aid and comfort in the realm or elsewhere, and thereof be proveably attainted of open deed by people of their condition; 5. And if a man counterfeit the king's great or privy seal; 6. Or if a man counterfeit the king's money, or bring false money into this realm,

counterfeit to the money of England, as the money called Lusheburg, or other like to the said money of England, knowing the money to be false, to merchandise or make payment in deceit of our said lord the king and of his people; 7. And if a man slay the chancellor, treasurer, or the king's justices of the one bench or the other, justices in eyre, or justices of assize, and all other justices assigned to hear and determine, being in their place doing their offices; and it is to be understood that, in the cases above rehearsed, it ought to be judged treason which extends to our lord the king and his royal majesty. And of such treason the forfeiture of the escheats pertaineth to our lord the king, as well of the lands and tenements holden of others as of himself.'

This continued to be the main law of treason, upon which suspected persons were indicted and tried, down to the time of George III., though a number of special acts were passed at exceptional times, whereby the general law was supplemented either for a temporary purpose, or for the better explanation of the law itself. The lives of Elizabeth, Charles II., and George III. were guarded by such special statutes, which rendered it treasonable not only to levy war upon the king, but to *conspire* to levy it.

Richard II. procured several acts to be passed which extended the pains of treason to those who began a riot; and to those who attempted to repeal the statutes passed in the 21st year of his reign. He also got parliamentary decisions upon cases which he was not sure lay within the statute of Edward III.; so that in the 17th Richard II., Sir John Talbot was declared guilty of treason for conspiring to kill the king's uncles, and levying forces for that purpose. Parliament, on being asked whether the offence was treason, said: '*La matere contenez en la dite Bille est overt et haut treson.*' So, too, in the 19th Richard II., Thomas Haxey, a member of the House of Commons, was adjudged a traitor by parliament, at the instance of the king, *for having preferred in parliament a complaint against the charges of the king's household; and against the number of bishops and ladies who were maintained at his cost!*

These and several other perversions of the treason laws, for the gratification of Richard's malice, being found intolerable, an act was passed in the first year of Henry IV., which said that 'whereas in the said parliament holden the said one-and-twentieth year of the said late King Richard, divers pains of treason were ordered by statute, in so much that there was not any who did scarcely know how he ought to behave himself, to do, speak, or say, for doubt of such pain; it is accorded and assented by the King and the Lords and Commons aforesaid, That in no time to come any treason be adjudged otherwise than was ordained by statute in the time of his noble grandfather, King Edward the Third; whom God pardon.'

Henry V. made it treason 'to clip, wash, or file money of the realm,' and to break truces and safe-conducts. Henry VI. made it treason to burn houses because the owners would not pay a ransom for them; and for Welshmen to 'carry away into the marches of Wales' goods stolen by them out of the counties of Hereford, Gloucester, or Salop.

But these were only of temporary use, and not of general application. The next grand statute of treason, which affected everybody more or less, was that passed in the eleventh year of Henry VII.

The Wars of the Roses, with the alternating fortunes of the contenders, who ever when in power branded the side which was for the time down with the name of traitors, revealed a want not met by Edward's statute. Was a man to be deemed a traitor for obedience to a king who was actually in possession, even although the exiled king might be the rightful one?

The experience of too many noble persons in the Wars of the Roses shewed that the law on this point was far from settled, so that in the eleventh year of Henry VII., himself a king rather *de facto* than *de jure*, an act was passed which declared 'that besides those persons who may be actively serving a king *de facto*' (by going with him to the wars), 'all those who may be passively doing him service, shall be held guiltless of treason towards a king *de jure*, but out of possession.'

This most salutary law, which is of the most obvious utility and fairness, was most shamefully disallowed to be pleaded by those of the Commonwealth men whom the crown determined to destroy. Sir Harry Vane pleaded it, and his plea was overruled on the technical ground, that Cromwell was not a king, and therefore not within the meaning of the statute; yet the constructive guilt of the whole people of England who had obeyed the Protector must have been covered by that statute or no other.

In the twenty-second year of Henry VIII., Richard Roose, cook to the Bishop of Rochester, murdered two persons by putting poison into some yeast, of which they partook; and this offence being something so new, and at the same time so foreign to the ways and thoughts of Englishmen, the people cast about for some new mode of punishment. An act of parliament was passed declaring the crime of poisoning to be high treason, and the punishment for it (suggested no doubt by the profession of the delinquent) boiling to death.

In this reign, many 'new and strange treasons' were declared in no fewer than fifteen acts of parliament, some of which are of the wildest kind. It was made high treason to deny the doctrine of transubstantiation; to deny that the king was head of the church; to marry the king's children; to say or think that the king's marriage with Anne of Cleves—of whom he said that 'she was a great Flanders mare'—was good; for a woman 'which was before incontinent' to marry the king, and yet conceal her dishonour; to deprive the king of his title and addition; &c. But these new-fangled treasons were done away by Edward VI., who restored the law of treason to its former state—that is to say, to the statute of Edward III., and the statute of Henry VII.

Edward VI. not only put the law on its old footing, but he added in a subsequent statute an important item, which had been rendered necessary by the many cases in which a man's life had been sworn away upon the evidence of one man only. By 5 Edward VI. c. 11, it was required that two lawful witnesses should confront the accused, and without the *two* witnesses no conviction could be had.

Mary confirmed this act of her brother's, and added a statute (1 P. and M. c. 10) to bring the king-consort within the protection of the law of treason, which, without a special act, does not include the husband or wife of the sovereign. She also added one which is significant enough of the popular disposition at the time, by which it was made high treason to pray 'that God would shorten

the queen's days, or take her out of the way, or such like malicious prayer, amounting to the same effect; but it was provided that no judgment should issue if upon arraignment the accused should be penitent.

The many plots against the life of Elizabeth made it necessary to guard it with special care. Not only the Act of Supremacy, but other acts, to be in force during her life only, were passed; and rigorous though they were towards 'Jesuits, seminary priests, and such other like disobedient persons,' they were not disproportionate to the causes which called them forth. It became necessary, through the force of peculiar circumstances, to make treasonable a conspiracy to take, detain, or burn the queen's castles; to attempt the enlargement of any one committed for high treason; for any priests, of whatever kind, 'ordained anywhere by authority of the see of Rome, since the feast of the Nativity of St John the Baptist, in the first year of Her Highness' reign,' to remain in the queen's dominions after forty days from the end of the then session of parliament; for any one to be reconciled to Rome; and Elizabeth's successor, whom Sully described as 'the wisest fool in Europe,' procured an 'act for the better discovering and repressing of popish recusants,' whereby it was made high treason to reconcile any one to Rome, the clause in Elizabeth's act as to being reconciled, being re-enacted.

In Charles I.'s time, a question of the most vital importance was decided, which had scarcely arisen before, except in very unsettled times. Most of the supplementary statutes adding 'new treasons' had expressed that the treason was to be evidenced by the word spoken or written, or by any other sign specified by the act. But the manner was specified in them; it was not in Edward III.'s statute.

There are no less than seven cases reported in the state trials of indictments for treason preferred under Henry VI. for words merely uttered, such as: 'The king is a fool, a known fool throughout the kingdom of England;' 'It had been better for the kingdom of England by a hundred thousand pounds, if the said king had been dead twenty years before;' 'The king hath neither power nor knowledge how to govern the kingdom of England; and that he (the prisoner) would not any more obey the king;' 'The king and all the lords about his person are false.' In Edward IV.'s time, three persons were executed for having calculated the king's nativity, and said that the king would not live much longer. John Alkerter, in the same reign, was indicted for his 'horrible and venomous sayings;' and in Baker's *Chronicle* there is reported a case in which a publican was hanged for saying he would make his son 'heir to the Crown'—the Crown being the sign of his tavern.

In 1615, Edmund Peacham was found guilty (but not executed) upon an indictment for treasonable passages in a sermon which was never preached, nor intended to be preached, but only set down in writing, and found in his study. Many of the judges, however, thought this was not treason.

Williams, a barrister of the Middle Temple, was not so fortunate. He wrote a book called *Balaam's Ass*, which he did not publish, but sealed up and sent to King James, to warn him that his death was foretold in the twenty-fifth verse of the seventh chapter of Daniel. Williams was condemned on the ground that it was clear he meant to take steps to fulfil the prophecy!

In 1628, Mr Pine, a gentleman of Hampshire, asked Collier his servant, who had been over at Hinton, if he had seen the king there, and when Collier said 'Yes,' Pine remarked: 'Then hast thou seen as unwise a king as ever was, and so governed as never king was; for he is carried as a man would carry a child with an apple—therefore I and divers more did refuse to do our duties to him.' Pine said further: 'He is no more fit to be king than Hickwright' (an old simple fellow, shepherd to Mr Pine). Pine was arrested upon the information of his servant, and the crown pressed the case against him; but the judges, before all of whom the point was argued, declared 'that the words spoken by Pine, though they were as wicked as might be, were not treason; *for there is no treason but by 25 Edward III. c. 2*; and the words spoken can be but evidence to discover the corrupt heart of him that spoke them; but of themselves they are not treason, neither can any indictment be framed upon them.'

The old law being thus declared, trials went on as before; but questions arose, as on the trials of Lord Stafford (the last victim of Titus Oates's Popish Plot) and Lord William Russell, as to the construction of Edward VI.'s statute, which requires two witnesses; and other questions, too, arose in reference to the practice in treason-cases, which were not settled till the 7 William III. c. 3. It had not been hitherto allowed that the prisoner should have a copy of the indictment; his witnesses could not be examined on oath; he could not be defended by counsel; nor was he informed beforehand of the witnesses to be brought against him.

William's act provides that—1. All persons indicted for treason are to have a copy of the indictment given to them five days before trial (extended afterwards to ten days), and a copy of the jury panel two days before; 2. Their witnesses may be examined on oath; 3. Counsel to be allowed for the defence; 4. The two witnesses must depose either to the same overt act, or the first to one, and the second to another overt act, of the same kind of treason; 5. Prosecutions to be limited to three years, except in cases of attempted assassination; 6. Peers may choose to be tried by all who have a right to sit and vote in parliament. A statute of Anne's ordered a list of the witnesses, with their professions and abodes stated, to be given to the accused ten days before trial.

With these safeguards against kingly malice, the English people have been content; and they continued under the old law of treason until George III.'s reign, when it was found necessary to extend the range of it, in order to secure the king from harm. The following statute, which re-enacts part of Edward III.'s law, does not repeal it, nor affect those clauses not specified by it—though some of them, as that respecting coining, have been repealed, and other penalties provided.

57 Geo. III. c. 6, rendering perpetual 36 Geo. III. c. 7.—'If any person or persons whatsoever, during the life of the king and until the end of the next session of parliament after a demise of the crown, shall, within the realm or without, compass, imagine, invent, devise, or intend death or destruction, or any bodily harm tending to death or destruction, maim or wounding, imprisonment, or restraint of the person of the same our sovereign lord the king, his heirs and successors, or to deprive or depose him or them from the style, honour, or kingly name of the imperial crown of this realm, or of any other of his Maj. dominions or

countries, or to levy war against H.M., his heirs and successors, within this realm, in order by force or constraint to compel him or them to change his or their measures or counsels, or in order to put any force or constraint upon, or to intimidate or overawe both Houses or either House of Parliament, or to move or stir any foreigner or stranger with force to invade this realm or any other H.M. dominions or countries under the obedience of H.M., his heirs and successors; and such compass, imagine, invent, devise, and intentions, or any of them, shall express, utter, or declare, by publishing any printing or writing, or by any overt act or deed: being legally convicted thereof upon the oaths of two lawful and credible witnesses, shall be adjudged a traitor, and suffer as in cases of high treason.'

Thus stands the main law of high treason at this day. There are, however, special statutes designed to protect the person of Her Majesty and the lives and dignity of her family, which intending traitors would do well to study, for they are stricter than any heretofore passed. They even make treason out of spoken words, and narrow the limits of evil-speaking against the sovereign and her government to a very small compass. Space is wanting to set them out; but, as it may be presumed, in spite of the Fenian Brotherhood, that few, if any, of Her Majesty's subjects will be required to inform themselves particularly as to the nature of these laws, it may suffice to leave them, like so many sheathed swords, in the statute-book, and to rest content with this general outline of the law of treason.

It may be as well to add, for the benefit of whomsoever it may concern, that the punishment for high treason is still drawing the body on a hurdle, hanging, beheading, and quartering it. The soul, however, is commonly recommended to mercy.

TOMB OF SETHI, DESCENDANT OF THE SUN.

SMITH and I, travelling on the Nile, had undertaken to hunt up a disputed tablet of hieroglyphics on the wall of a certain chamber of the tomb of Sethi at Thebes, and to bring home a faithful transcript of the same. 'Be sure you take it off correctly,' our friend the distinguished professor had pressed upon us at parting: 'it is important to clear up the true succession of Diospolite monarchs; and Manetho, you are aware'—'Oh, never fear, doctor,' interrupted Smith impetuously, trembling lest the professor, once entangled in his dynasties, should forget our cab at the door—'never fear; you may depend upon us; besides, your instructions are so clear. Adieu.'

And so we rode off, irretrievably committed. Before I recount to the reader the mess we got into over this seemingly simple operation, let me say a word about Sethi's tomb.

The sepulchre of this Pharaoh—in fact, a sumptuous palace—was hewn into the bowels of the mountain, just in the hollow of that wild rocky gorge which runs devious and deep into the heart of the hills fringing the fertile plain of Thebes—hills that stand sentinel-wise on the verge of the great Libyan waste.

Here, at the foot of a limestone spur, deep down in the lustrous shadows of that narrow dell, the

traveller may still light upon the half-hidden entrance to those subterranean halls. Hither Sethi, Descendant of the Sun, Lord of Upper and Lower Egypt, was brought and buried in solemn state, after a long and prosperous reign, about the year 1300 B.C.

Sethi, when called to the throne, bearing in mind that one day the angel of death with a cold kiss would blanch his kingly forehead, and beckon him away, began immediately—it was the fashion in Egypt—to cut out for himself a sepulchre in the mountain. There, he flattered himself, his sacred body, fitly mummied, jewelled, and enshrined, would rest in lonely state undisturbed until, in the far-off time—the long-looked-for morning—Osiris should summon him.

Although he reigned many years, however, Sethi died before this eternal house* was finished; nevertheless, they buried him there. The long-drawn funeral procession bore him in the soft sunset to his home in the western hills; squadrons of war-chariots, robed pontiffs, flamens of Isis in stately array, with glittering insignia and waving flabella, accompanied the bier, defiling slowly across the plain. Through great columned temple-courts, past solemn sphinx avenues, through the gates of magnificent Thebes, this pageant followed on, and over the lake to the mountain; then winding up this wandering gorge to the little aperture in the rock, they left him there. Princes carried the mummy down into its sumptuous dwelling; and so Sethi was sealed in, while Rameses his son reigned in his stead.

Now, although ample care and forethought was taken to hide all traces of this and other tombs—for the Theban monarchs all slept in the valley, 'every one in his own house'—several, in the reigns of the later Ptolemies, were broken into; but it happened that King Sethi invariably escaped—his masons had managed more deftly than the rest to conceal his lurking-place. Priests, the first to violate these sepulchres for the booty they held, passed by him; learned archaeologists, prowling about the valley, and burrowing everywhere, passed by; scientific Greeks on their travels also, though they left manifold tokens of their visit elsewhere, gave our Pharaoh a wide berth. These last gentlemen, in the tombs adjacent, knocked off the noses and arms of the sculptured gods they came near; they scribbled up impertinent remarks on the walls, wrenched open a sarcophagus or two, then probably hurried back to Athens to write a book, or lecture on incidents of travel, and so strut for an hour as lions in the society of that refined capital. Plato must have passed by here; Herodotus, too, in all likelihood, descending into these gloomy retreats, lamp in hand, awestruck at their magnificence—the historian perhaps listening to the wild fancies of that same fibbing guide who crammed him so mercilessly at Memphis.

Still, none of these distinguished explorers lighted on Sethi. Save, indeed, that he may have trembled when they broke into Rameses's tomb hard by, no disquieting contingency befell. Nor Greeks, nor Romans, nor Arabs disturbed him. Century after century, down the ages, he slept on. All bade fair to carry him safely through till dooms-day.

However, the evil time, sooner or later, comes to most of us, and to Sethi it came in this wise.

* The Egyptians named their tombs 'eternal dwellings.'

Some fifty years since, a violent thunder-storm—a rare occurrence in those regions—burst over the Valley of the Kings; a deluge of rain swept down. A traveller (Belzoni) happened to be on the spot. His quick eye caught at a slight sinking in the level of some débris gathered at the foot of a rock. A thought strikes him: 'Surely there must be something hidden.' Like a terrier in full scent he sets to work; but, alas, what can a man do unassisted? The next day, a troop of Arab *fellahs* are engaged. They dig and dig, and in their digging uncover, little by little, the broad sculptured portal of a tomb. Belzoni and his Arabs, now half delirious with excitement and joy, hurl down the masonry, and burst in.

What they see there is like to a vision told in the *Arabian Nights*. There are halls, and secret chambers, and corridors, and staircases of a splendour and on a scale to stagger belief. There are walls all brilliant with vivid colours, fresh as they were thousands of years back, when the workman laid down his brush to die. There are columns and cornices, belaboured with sumptuous carvings and imagery; and all around, thick spread on the rock, gorgeously-pictured allegories, illustrative of deep and awful mysteries.

The explorers, with lighted torches, run hither and thither, like ants disturbed in a nest. But how is this?—they find no mummy, no sarcophagus. A deep pit gapes wide in the uttermost chamber, but the pit is empty! Ah, Belzoni is brought to a stand now! Our friend Sethi has one chance left to him still.

But the Italian's quick thought overrides the difficulty. With a knotted wand, he taps the rock, listening carefully. Ha! there is a hollow sound. It is behind the pit. Twenty Arabs hurry off. They run through the ravine to the plain; they hew down a palm-tree, and return, staggering beneath the weight of its huge trunk. Now planks are laid over the pit's mouth, and this unwieldy battering-ram brought to bear on the hollow wall. The Arabs—ever like children, playing at toil—set up a wild shout, in which the torch-bearers join—a chorus answering to our one, two, three; and lo, a mass of masonry lies prostrate before them! They pass through into another world of subterranean chambers; they scramble up and down broad stairways, often coming to grief in their impetuous career. Lights flash through solemn corridors, all more vast, more gorgeous, more elaborate than those gone before. They have penetrated far into the embraces of the rock, have broken the long silence of that mysterious domain, have undone the spell; and now, finally, they meet under the vault of a lofty hall, where their flickering thicket of torches scarce serves to bring into light the starry ceiling overhead—stars sown on a field of azure, to represent the firmament—nor to shew the serpents twining in mazy folds beneath. A kind of gallery skirts the chamber, and from the interjacent columns and from the wall, weird forms and faces look out, and great black eyes peer at the intruders with contemptuously apathetic gaze. These, however, heed not: they are grouped round a solitary coffin, set in the midst of that vast chamber; they examine it narrowly—an elaborately-carved alabaster sarcophagus, thickly mantled with hieroglyphics, encircling the cenotaph of 'Sethi, beloved of Ptah.' Yes, they have come to him at last—they have hunted great Pharaoh to earth.

Fancy that solitary sleeper, my reader, pent for

ever in his gloomy abode—fancy him in the dark, lying alone through the ages in that cold stony hall—companionless, forgotten; encompassed by those shadowy shapes, and eyes fixed in contemplation, eternally passionless and still. Stern deities on their thrones, rigid and inexorable; fair women, in gauzy apparel, clustering around with offerings of fruit and flower garlands; and ever among them and between, grim genii and serpents interlaced in endless convolution, winding up even to the blue sky above. Alone—fathoms deep in the mountain—girt about with rock, where no ray of sunlight had ever penetrated, or sound, or flash of a lamp, had fallen for thousands of years—taking no note of returning days and nights, of setting suns and spring blossoms, of summer heats and winter cold. Alone—in glory in his own house—he, once the monarch of men—how fallen! Now thus imprisoned, wherein was he better than the meanest of his slaves?

Such was Sethi when Belzoni lighted upon him. He has since been carried across the sea; and if you, curious reader, care to examine the sculptured alabaster that enshrined him, search for it in the Soane Museum, Lincoln's Inn Fields. Sethi's sarcophagus is the gem of that very interesting collection.

Smith and I in due course arrived at Thebes; and as my friend was anxious about the professor's 'copy,' it was arranged we should at once cross over to the valley, and proceed to work. 'Business first, and pleasure afterwards,' said Smith (he had a detestable habit of clenching his remarks with a quotation). So our boat was moored to the bank beneath the temple ruins of Luxor, beside other boats which had previously arrived.

Looking up from a hasty breakfast on the divans of our trim little cabin, we descried our Nubian servant—a moon-faced man, with brilliant turban, white tunic, and stout dusky legs—haggling energetically with a knot of fiery-eyed, half-naked Arabs outside on the river-bank; the subject of dispute being some six or eight meek, unassuming donkeys, whose virtues—as competent to carry us to the mountain—the owner of each boisterously sought to impress on our Nubian's notice.

'It is to be hoped they won't take the steam out of them before we are ready,' I remarked, observing in the scuffle that the poor beasts were driven like waifs in a tempest of shrieks and blows.

'We'll ride upon camels, if they do,' rejoined my friend with dignity.

But by this time the Nubian had triumphed. He entered hot and radiant. He had selected, he said, three of the best donkeys in Thebes. Moreover, we had fallen on prosperous days, for our guide was a Hadji. Hadji—pilgrim of Mecca! Truly we were blessed of the Prophet, for this man had thrice compassed the Kaaba, and had kissed the Black Stone to boot!

So Hadji Hassan came forward—a lank, wiry man, very much like a resuscitated mummy, half unwrapped—and touched his breast and turban by way of salute. 'Me take traveller Bihan el Molook—guide Gates of Kings, Belzoni tomb,' said he, with flashing eye and wild gesture, as he pointed solemnly to the western hills. 'Me Hadji Hassan, here you look, papers, *sartifex*,' and he handed us a greasy memorandum-book, which we did not take.

'What does the old person mean?' asked Smith.

'Oh! I said, 'he wants us to examine his

certificates. Never mind them. Let us start; we're losing time.'

Provisions, a prodigal lunch, two water-skins, a quantity of paper, and some candles, were carried with us. The candles, unfortunately, dribbled out by the way; they had been carelessly thrust into my outer pocket, and at the journey's end only one remained.

We had a glorious ride that summer noon through palm-thicket and cotton-field, across the Theban plain. The Hadji, astride of a small donkey, ambled before us, leading the way. In his aim to look dignified, he might have succeeded, but for those lanky legs of his, which, like two pendulums, kept time to his donkey's march. It was instructive to mark the good Hadji struggling with difficulties, for his slippers were ever sliding from his horny feet, through hitting against the furrows of the path. As for our beasts, they were both stout and enterprising; they led us along merrily. Mine was of a contemplative cast of mind. When a thought struck him, it was his wont to stop short, and give it way. These little irregularities, however, irritated the donkey-boys excessively—two sprightly young Arabs, full of frolic, who ran in the rear, and, at such times, took occasion to fall on him simultaneously with their sticks.

There are certainly few finer or more impressive sights on earth than that barrier of rock-mountain which ascends abruptly from the western verge of the Theban plain. Ere you approach it too nearly, the softly-tinted lights and shadows playing athwart its fretted crags and promontories dazzle your fancy with all manner of mimic forms—dreamy visions of rock-fortresses glowing in a purple mist—veritable castles in the air, or ramparts fringed with a glory of amethyst and jasper; and indeed when the sun bends towards its setting, the whole ridge mantles up as it were into a coast of burnished gold. But it is not this strange beauty of hill and atmosphere that so much impresses you, as the consciousness that you are looking upon the great cemetery of ancient Thebes. Thousands of tombs gape wide before you—the cliff is scarped all over with them. Thickly in nooks, under towering crags or inaccessible heights, they are seen; wherever your eye wanders, it is a city of the dead. Into the heart of this mountain-ridge we penetrated by the narrow and mysterious gorge before mentioned, which of old received none but the Theban Pharaohs. More than a mile, we rode up by a rugged way, across which had fallen a chaos of fragments from the lofty cliffs on either side, which, sometimes hanging over our very heads, shut us in more closely at every step. No sign of life or vegetation sprang up to relieve the awful sense of desolation that fell around. An intense silence brooded over the valley. You might have fancied Nature to have hushed herself, fearful of waking those angust sleepers. The scream of a solitary eagle sailing far above, alone broke the spell.

As we approached the end, the rocks opened out grandly into a kind of hollow, above which a huge cliff towered in shape like to a pyramid. 'Here,' said the guide, 'you see distributed the sundry perforations which lead down into the sepulchres of the kings.'

We found two French artists in the vestibule of Sethi's tomb—a kind of shaft descending in gentle gradient to the first gallery. They were seated in the portal, copying the painted forms on the wall. They had been so occupied nearly a week, they

said, sleeping of nights in the tomb, to economise time. These gentlemen, after we had unladen the donkeys, and spread out our delicacies—fowls, dates, and notably a flask of good wine—on a rug in the shadow of the rock, joined us at lunch; and eventually, when the feast was over, and we sat in council (on ragged boulders littered about) smoking our pipes, they gave us some valuable hints concerning the task we had undertaken. It appeared that the 'tablet' was far in the recesses of the tomb.

'You will need some patience in copying it,' said they. 'We will help you, however. Let us proceed at once. Where are your candles?'

'Candles? Alas! I felt in my pockets for them—first in this, then in that—but felt in vain.

'I saw you put them in,' exclaimed Smith, witnessing my discomfiture.

'True enough. This alone remains, however; the others must have fallen out by the way. That confounded donkey!'

'Don't swear.—Perhaps, gentlemen,' addressing the Frenchmen, 'the tablet is small, in which case the operation would be soon over.'

'Not so quickly as you imagine,' returned these. 'You forget that wet paper takes long to dry.'

'Let us at least go forward and examine the wall,' I said; for we were standing irresolute in the portal.

So a light was struck, and we descended; Achmed, my donkey-boy, following with the tackle. By dividing our solitary candle into two, we had become possessed of four lights, for our friends had each one. 'We would willingly have lent you all that remain,' they had said, 'but we have only sufficient for to-morrow's work.'

This combined illumination, however, barely sufficed to reveal, even in dim outline, the wonders of the place we were passing through. Each successive gallery and corridor seemed to carry us deeper into the mountain. I shall ever retain (for this occurred many years ago) a vivid recollection of that downward journey. It was my introduction to the 'Marvels of Egypt.' I had a hazy consciousness that the dead were there, for ever and anon I stumbled on what proved to be, when I stooped over it with my taper, the bituminous shreds of a skeleton, or the grinning skull of a mummy. I remember, too, that in the endless procession of pictured forms dimly visible on either hand, each figure seemed to follow us on our way. Sometimes double-headed genii were by our side, or monstrous deities with crooked legs and sinuous arms resting akimbo thereon—monsters with maniac eyes and tongues of vermilion lolling out of hideous jaws. Anon these gave place to victor kings, threatening, with uplifted falchion, captives who licked the dust. Sometimes bare-headed priests were there, and huge glistening serpents trailing along fold upon fold. Then—coming like a strain of soft music, heard at unawares—we would fall in with a bevy of fair young damsels in long wavy hair, full pouting lips, and almond eyes—hours in light-clinging garments, tripping along with *sistra* and garlands. But each neighbour fair or foul was intent on the forward march. Along those dark passages all the shadows seemed bent on accompanying us to some mysterious conclusion. We were becoming more and more involved in this everlasting succession. Where would it end? Would the candles last out? We had just passed through the great hall, the feeble glimmer struggling hopelessly with its thick darkness, when we

stepped across the threshold of a little chamber, low and narrow, which contained the redoubtable field of hieroglyphics to be copied.

Pressing in over a floor thick with dust, half-burned fragments of coffins, and mummy-bones, we examined the walls. Some mystic story had been told thereon in painted figures and fancies. A cornice, elegantly devised in blown and half-blown lotus blossom, bordered it round; but our interest just then led us to the further wall. Here lay the tablet; hereto our tapers were brought to bear. A surface of some six feet square, covered thick with hieroglyphics, each character deeply chiseled by a master-hand into the polished limestone. Our business was to take off an impression as from a seal, and by a method I will presently disclose.

'Well, the doctor *has* a conscience!' exclaimed Smith, appalled at the amount of work to be done. 'He might as well have asked us to copy out the Koran, or got us to make bricks for him economically, like Pharaoh of old. We are in for it! What shall we do? Why, here's a day's work!'

'Useless to attempt anything this afternoon,' replied one of our newly-acquired friends politely. 'Even by returning immediately, you will barely reach your boat ere the sun goes down. Sleep here with us to-night—you have rugs—and begin work early to-morrow morning.'

'But the candles and water?'

'And food?' chimed in Smith. 'If a man doesn't eat, you know, he can't work.'

'For the matter of that, we have enough, and shall be pleased to entertain you,' returned our friend; 'and for the rest, give direction to your Arabs to come back early to-morrow with a supply of candles: they can get them from your dragoman, together with a skin or two of water.'

This was a daring proposition. It had a certain fascination about it, however, like the cold stream into which a swimmer is about to plunge. To pass a night in the wild desert, and in a sepulchre, too—a king's tomb, with the ghosts of departed Pharaohs for bedfellows!

'If you decide on staying,' said our friends, 'we will light up our remaining supply; and after you have despatched your people, a few minutes will suffice to shew you the process of copying.'

The die was cast; the necessary directions were soon given, and we came back to our friends.

'You have just sufficient water left for a trial,' rejoined these. 'Where is your brush? Ah, a soft clothes-brush—good! Now, fix the candles on that fragment of stone in the corner, and bring hither a sheet of paper.'

We first damped the sheet—a thick gray paper, such as grocers use—by sprinkling upon it from the skin; then squirted water (economically) on a small section of the engraved wall. To this spot the paper was then applied; and when it had well stuck, fresh water was thrown over copiously; after which, gently at first, more forcibly afterwards, we tapped the sodden paper with a clothes-brush—it answers the purpose well—until it had entered into every cranny and crevice of the sculpture.

'Now,' said our friends, 'you must wait till that falls off dry; then you will have a perfect impression of about one-twentieth part of your task. In the meantime, let us take an airing outside until sunset.'

We wandered about in the solitudes of the glen. What a strange world it was! On the cliffs above

—high up; past those craggy ledges overhead—a zone of yellow sunlight was lingering, while all below, rock and ravine lay plunged in a limbo of gloom and awful silence. The evening had fallen. Truly the spirit of the place breathed in harmony with its solemn memories to reprove our intrusion. Who were we, pigmies of to-day, venturing into these haunts of departed greatness? We clambered up some slanting pathway among the crags, and shouted, to break the spell. But we could not reach the sunshine. Presently the last gleam of gold died away, and then the crimson after-glow came on, flushing up the firmament with its gorgeous but transitory hues—fit emblem of that earthly glory following the hero's death—and so through the brief dewy twilight of that southern region, we hurried down the rock, home to our tomb.

The Frenchmen, with the talent of their countrymen for organisation, had started a very comfortable establishment in a chamber opening into the slanting vestibule of the sepulchre. There were kitchens, bedrooms, work-shop, *salles-à-manger*, all within the compass of a little rocky cell twelve feet by eight. In the doorway we found piled up their painting materials (we nearly upset them going in), palettes, maul-sticks, and so on. The uttermost corner they used as a cellar; a quantity of charcoal, some bottled beer, a tripod, and a kettle or two were stowed away carefully therein. A great fragment of limestone had been rolled in from outside, to serve as a table; and as for sleeping accommodation, why, there were rugs and blankets spread on a layer of palm-leaves by the wall, and a carpet-bag or two at the head, ingeniously tucked under to represent a pillow.

'Welcome to our dwelling,' said they, as, after lighting two candles, and sticking them to nails fastened on the wall, they bustled about to receive us fittingly into their hospitable circle. 'You see we are snugly housed.' Then, after praying us to be seated—we had brought in fragments of rock with that intent—one addressed himself to spread out the supplies—sausages, dates, and so on, taken from a wicker-basket in the corner—while the other, sprawling on the floor, half choked himself in coaxing up a fire of charcoal, by blowing into it sideways with all his might. 'We'll have a jolly blaze presently,' said he, picking himself up, red and breathless; 'in the meantime, let us dine.'

So we sat in circle around the festive stone, covered with a napkin. Smith had hitherto been hoarding a flask of brandy; this, together with the remains of lunch, fowls, and meat, was laid on the cloth, and we feasted merrily. Bread was not lacking, nor salt, neither good appetite; but knives and forks we had none, and so, in Arab fashion, we mutually pulled the viands to pieces. The genial manners of our hosts soon won upon us, and ere the repast terminated, we were all fast friends. In the meantime, the titillating sound of the coffee simmering on the tripod over the glowing embers fell on our ears, and pleasant odours came wafted abroad, luring us to the adjoining *café*.

We sat and smoked long into the night around that ruddy fire, feeding it at intervals, delicately, with fresh charcoal and sticks, while at each blaze the lanky shadows danced again over the painted and figured wall. It was near Christmas-time; thus, while hot summer ruled the Egyptian day, night fell cold. No chill air, however, crept into our snug and cozy retreat, neither just then did any wintry influence find way into our hearts;

and so it came about that the spirit of the season passed upon us from across the sea, and whispered to us of home and absent friends.

'Before we turn in, let us take a constitutional along the galleries, and see if your paper has fallen dry from the wall,' was the final suggestion of our hosts.

This we did; and on our way collected a hoard of doura straw, fragments of bituminous mummy-cloth, and odd sticks, to make a blaze in the great hall of the sarcophagus. A strange spectacle that at midnight in the palace of Sethi! No 'halls of dazzling light,' gay with feast and revelry, but a weird solemn vault, stately and vast, girt round by solid acres of rock; whose lofty ceiling and massive pillars, overspread with those mysterious picturings of old Egypt, were now flashing fitfully in the irregular light of a sober bonfire (magnesium wire was a thing unknown), and we four outlandish wanderers, half awake, hovering about its ruddy glare, like wizards in an incantation scene.

We retired late to rest, and woke while the sun was still pouring its early rays into the valley, and the clear fresh morning airs were yet abroad. The Arabs soon arrived with plentiful supplies of all that was necessary for work; and long ere the shadows fell that evening, our task was finished—finished so well, that when, in after-days, the professor, in his snug little study, looked upon it, listening meanwhile to our adventures, his face beamed again; and as sheet after sheet passed in review, the good man's spectacles actually grew dim with his delight, and we felt rewarded for our pains. And thus it came about, I presume, that the Diospolitan Dynasties were finally settled.

EXPERIENCE.

EXPERIENCE, divine instructress of the soul,
Whose grasp doth close around the unwilling wrist,
The while thy finger points, thine Hours unroll
The changing scenes that break through Sorrow's mist.

The mind, enforced to judgment, bares the past
Of golden hues, divests the verse of sound
That o'er its vacant phrase such sweetness cast,
And where an Eden shone, but sand is found.

Opinion, Love, and Hope are dashed by Thee,
Like eager children by a cold, stern voice;
Their well-planned Paradise of lawn and tree
Ploughed up with all its knots of blossom choice.

And thus the soul in earth's resistless change
To higher thrones of nobler thought ascends;
Accepts or leaves; and on the topmost range
Of joy or sorrow neither fails nor bends.

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